Commissioner for Patents United States Patent and Trademark Office Washington, D.C. 20231

Paper No. 7

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OFFICE OF PETITIONS A/C PATENTS

Pennie & Edmonds Counselors at Law 3300 Hillview Avenue Palo Alto, CA 94304

In re Application of Christopher S. Hagler et al. Application No. 09/668,623 Filed: September 22, 2000 For: System and Method for Auto-Configuration of a DSL modem

DECISION REFUSING STATUS: UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed April 3, 2001.

The petition is dismissed.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition under 1.47(a)," and should only address the deficiencies noted below. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a). The reply to this decision may include an oath or declaration executed by the non-signing inventor in compliance with 37 CFR 1.63.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor. Applicant lacks item(s) (2) set forth above.

As to item (2), The declaration is not acceptable since it fails to state the citizenship of the nonsigning inventor. Accordingly, a new oath or declaration in compliance with 37 CFR 1.63 and 1.64 is required.

In order to expedite consideration of the petition under 37 CFR 1.47(a), petitioner may wish to consider submitting the renewed petition by facsimile transmission to the telephone number indicated below and to the attention of Latrice Bond.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Office of Petitions

Assistant Commissioner for Patents

Box DAC

Washington, D.C. 20231

By FAX:

(703) 308-6916

Attn: Office of Petitions

By hand:

Office of Petitions

Crystal Plaza Four, Suite 3C23 2201 South Clark Place

Arlington, VA 22202

Telephone inquiries related to this decision should be directed to Latrice Bond at (703) **308-**6911.

Paralegal Specialist

Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Lead Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner for Patent Examination Policy